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BY ECF

Hon. Ronnie Abrams
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Galanis, S3 16 Cr. 371 (RA)*

Dear Judge Abrams:

I represent Devon Archer. I write very briefly in response to the government's letter of yesterday, arguing that John Galanis had opened the door to evidence of his arrest and conviction in the Gerova case [ECF No. 511].

For all of the reasons set out in Mr. Archer's severance motion and his opposition to the government's attempt to introduce this evidence under Rule 404(b), it would be extraordinarily prejudicial for evidence of John Galanis's role in the Gerova case to be admitted in a trial involving Mr. Archer. For that reason, even if the Court believes that Mr. Galanis may have somehow opened the door, the Court should nonetheless exclude the evidence under Rule 403. In the event that the Court determines that John Galanis has opened the door to the Gerova evidence *and* that it will admit the evidence, Mr. Archer renews his severance motion.

Thank you for your consideration.

Respectfully,

/s/ Matthew L. Schwartz
Matthew L. Schwartz